

**MARGULIES WIND**  
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Attorneys for Plaintiff

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(201)319-8888  
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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**COSTA PERCHEM,**  
Plaintiff,  
v.

**K. HOVNANIAN ACQUISITIONS, INC.,** a corporation of the State of New Jersey, **MACE Consulting Engineers, P.C.,** a corporation of the State of New Jersey, **N.L., PARAGANO Associates,** a corporation of the State of New Jersey, **CARLE E. DENZLER, P.E.,** a corporation of the State of New Jersey, the **TOWNSHIP OF WASHINGTON,** a Municipal Corporation of the State of New Jersey; **JOHN DOES (1-10)** and **A, B and C corporations (1-10),**

Defendants.

Hon. Peter G. Sheridan

Case No. 07-4193 (PGS-ES)

**STIPULATION OF DISMISSAL**

*As Ordered  
Peter Sheridan  
5/15/08*

THE MATTER in difference in the above entitled action having been amicably adjusted by and between the parties, it is hereby stipulated and agreed that the complaint is hereby dismissed without costs as to all parties;

**AS TO DEFENDANT K. HOVNIANIAN ACQUISITIONS, INC.** this dismissal is with prejudice as to (a) the entirety of Counts 1, 4, 5, 6, 9 and 10, (b) any and all other federal claims asserted or that could have been asserted in this action, including but not limited to those in Counts 2 and 7, and (c) any claims under the State RICO statute; and

It is further stipulated between Plaintiff and Defendant K. Hovnianian Acquisitions, Inc. that all other State law claims, including but not limited to State law claims set forth in Counts 2, 3 and 8 are dismissed without prejudice and, if not barred by an applicable statute of limitations, are reserved;

It is further stipulated that Defendant K. Hovnianian dismisses without prejudice and without costs all cross-claims but reserves any and all rights it has or may have, whether asserted yet or not, to raise cross-claims, counterclaims and/or third-party claims as well as defenses to cross-claims counterclaims and/or third-party claims against any and all parties;

**AS TO DEFENDANT TOWNSHIP OF WASHINGTON** this dismissal is with prejudice as to (a) the entirety of Counts 1, 4, 5, 9 and 10, (b) any and all other federal claims asserted or that could have been asserted in this action, including but not limited to those in Counts 2 and 7, and (c) any claims under the State RICO statute; and

It is further stipulated between Plaintiff and Defendant Township of Washington that all other State law claims, including but not limited to State law claims set forth in Counts 2, 3, 6 and 8 are dismissed without prejudice and, if not barred by an applicable statute of limitations, are reserved;

It is further stipulated that Defendant Township of Washington dismisses without prejudice and without costs all cross-claims but reserves any and all rights it has or may have, whether

asserted yet or not, to raise cross-claims, counterclaims and/or third-party claims as well as defenses to cross-claims counterclaims and/or third-party claims against any and all parties;

**AS TO DEFENDANTS MACE CONSULTING ENGINEERING, P.C., N.J. PARAGANO ASSOCIATES AND CARL E. DENZLER, P.E.** it is stipulated that the Complaint is dismissed with prejudice and without costs and all cross-claims and defenses are dismissed without prejudice and without costs, it being expressly understood on the part of defendants that they reserve any and all rights pertaining to cross-claims and/or third-party claims, whether yet asserted or not, as well as defenses to cross-claims and/or third-party claims, again whether yet asserted or not.

**MARGULIES WIND, P.A.**  
Attorneys for Plaintiff

BY: ROBERT E. MARGULIES

**SANTORE & KENNY**  
Attorneys for Plaintiff

BY: LOUIS J. SANTORE

**PORZIO BROMBERG & NEWMAN, P.C.**  
Attorneys for N.J. Paragano Associates

BY: C. JOHN DeSIMONE, III

**CHASAN, LEYNER & LAMPARELLO, PC**  
Attorneys for Carl E. Denzler, P.E.

BY: JORDAN S. FRIEDMAN

DATED: May 2, 2008

**GIORDANO, HALLERAN & CIESLA**  
Attorneys for K. Hovnanian Acquisitions, Inc.

BY: PAUL H. SCHNEIDER

**GEBHARDT & KIEFER**  
Attorneys for Township of Washington

BY: LORRAINE C. STAPLES

**TESSER & COHEN**  
Attorneys for Mace Consulting Engineers,

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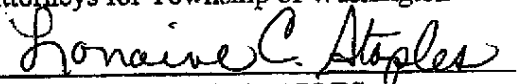
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